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December 1, 2009

Via ECF

Honorable George H. Lowe
United States Magistrate Judge
United States District Court
Northern District of New York
Syracuse, New York 13261

Re: Yoder, et al. v. Town of Morristown,
Civil Case No.: 09-cv-0007 (TJM/GHL)

Your Honor:

Plaintiffs and Defendants have been unable to reach a settlement, despite continued settlement discussions. Therefore, both parties respectfully request to resume litigation. If this request meets the Court's approval, please "So Order" this letter as indicated below.

Respectfully submitted,

A handwritten signature in black ink that reads "Michael T. Mervis / JH".

Michael T. Mervis
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cc: Gregg T. Johnson, Esq.
Jacinda H. Conboy, Esq.
Lori H. Windham, Esq.
Eric C. Rassbach, Esq.

SO ORDERED:

HON. GEORGE H. LOWE, U.S.M.J.